

SENATE BILL 369

F1, M3

11r2066

By: **Senator Conway**

Introduced and read first time: February 3, 2011

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 28, 2011

CHAPTER _____

1 AN ACT concerning

2 **Education – School Buses – Fire Safety Standards**

3 FOR the purpose of ~~requiring a school bus to meet certain fire safety criteria;~~
4 ~~requiring the State Department of Education to adopt certain fire safety~~
5 ~~regulations for school buses that include certain requirements; requiring certain~~
6 ~~engine components of certain school buses to meet a certain standard~~ requiring
7 a school bus to be constructed with certain materials that enable it to meet
8 certain criteria; requiring the Motor Vehicle Administration, with the advice of
9 the State Department of Education, to adopt certain regulations; defining
10 certain terms; providing for the application of this Act; and generally relating to
11 school bus fire safety standards.

12 BY adding to

13 Article – Education

14 Section 7–808

15 Annotated Code of Maryland

16 (2008 Replacement Volume and 2010 Supplement)

17 BY repealing and reenacting, without amendments,

18 Article – Transportation

19 Section 11–153 and 11–154

20 Annotated Code of Maryland

21 (2009 Replacement Volume and 2010 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article – Education**

4 **7-808.**

5 (A) ~~(1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE~~
6 ~~MEANINGS INDICATED.~~

7 ~~(2) “ASTM E 1537 STANDARD TEST METHOD FOR FIRE TESTING~~
8 ~~OF UPHOLSTERED FURNITURE” MEANS THE CONSENSUS STANDARD TEST~~
9 ~~METHOD DEVELOPED BY ASTM INTERNATIONAL AND USED TO:~~

10 ~~(i) DETERMINE THE BURNING BEHAVIOR OF~~
11 ~~UPHOLSTERED FURNITURE THAT IS USED IN A PLACE OCCUPIED BY THE~~
12 ~~PUBLIC; AND~~

13 ~~(ii) MEASURE SPECIFIC FIRE TEST RESPONSES WHEN THE~~
14 ~~FURNITURE SPECIMEN IS SUBJECTED TO A SPECIFIC FLAMING IGNITION~~
15 ~~SOURCE UNDER WELL VENTILATED CONDITIONS.~~

16 ~~(3) “SCHOOL, “SCHOOL BUS” HAS THE MEANING STATED IN §~~
17 ~~11-153 OF THE TRANSPORTATION ARTICLE.~~

18 ~~(B) A SCHOOL BUS SHALL MEET THE FIRE SAFETY CRITERIA~~
19 ~~ESTABLISHED UNDER THE ASTM E 1537 STANDARD TEST METHOD FOR FIRE~~
20 ~~TESTING OF UPHOLSTERED FURNITURE.~~

21 ~~(C) (1) THE DEPARTMENT SHALL ADOPT REGULATIONS TO PROMOTE~~
22 ~~THE FIRE SAFETY OF SCHOOL BUSES.~~

23 (B) A SCHOOL BUS SHALL BE CONSTRUCTED WITH MATERIALS THAT
24 ENABLE IT TO MEET ALL THE CRITERIA OF THE SCHOOL BUS SEAT UPHOLSTERY
25 FIRE BLOCK TEST ESTABLISHED BY THE NATIONAL SCHOOL TRANSPORTATION
26 SPECIFICATIONS AND PROCEDURES ADOPTED AT THE MOST RECENT NATIONAL
27 CONGRESS ON SCHOOL TRANSPORTATION.

28 (C) (1) THE MOTOR VEHICLE ADMINISTRATION, WITH THE ADVICE
29 OF THE DEPARTMENT, SHALL ADOPT REGULATIONS TO PROMOTE FIRE SAFETY
30 STANDARDS OF SCHOOL BUSES.

31 (2) THE REGULATIONS ADOPTED UNDER PARAGRAPH (1) OF THIS
32 SUBSECTION SHALL REQUIRE THAT A SCHOOL BUS MEET AT LEAST ONE OF THE

1 FOLLOWING REQUIREMENTS WHEN THE TEST METHOD IS CONDUCTED ON A
2 COMPLETE SEAT ASSEMBLY INSIDE A TEST ROOM OR ON THAT MODEL AND TYPE
3 OF SCHOOL BUS:

4 (I) THE SEAT ASSEMBLY EXHIBITS A WEIGHT LOSS OF 3
5 POUNDS OR GREATER DURING THE FIRST 10 MINUTES OF THE TEST; OR

6 (II) THE SEAT ASSEMBLY EXHIBITS A HEAT RELEASE RATE
7 OF 80 KILOWATTS OR GREATER.

8 ~~(D) EACH PLASTIC COMPONENT CONTAINED IN THE ENGINE~~
9 ~~COMPARTMENT OF A SCHOOL BUS USED TO TRANSPORT CHILDREN UNDER THE~~
10 ~~AGE OF 18 IN THIS STATE SHALL MEET A V-0 CLASSIFICATION WHEN TESTED IN~~
11 ~~ACCORDANCE WITH UNDERWRITERS LABORATORIES INC. STANDARDS FOR~~
12 ~~SAFETY UL-94.~~

13 Article – Transportation

14 11–153.

15 “School bus” means a Type I school vehicle, as defined in this subtitle.

16 11–154.

17 (a) “School vehicle” means, except as provided in subsection (b) of this
18 section, any motor vehicle that:

19 (1) Is used regularly for the exclusive transportation of children,
20 students, or teachers for educational purposes or in connection with a school activity;
21 and

22 (2) Is either:

23 (i) A Type I school vehicle, as defined in this subtitle; or

24 (ii) A Type II school vehicle, as defined in this subtitle.

25 (b) “School vehicle” does not include:

26 (1) A privately owned vehicle while it is carrying members of its
27 owner’s household and not operated for compensation; or

28 (2) A vehicle that is registered as a Class M (multipurpose) vehicle
29 under § 13–937 of this article or a Class A (passenger) vehicle under § 13–912 of this
30 article and used to transport children between one or more schools or licensed child

1 care centers or to and from designated areas that are approved by the Administration
2 if:

3 (i) The vehicle is designed for carrying 15 persons or less,
4 including the driver;

5 (ii) The children are permitted to embark or exit the vehicle
6 only at a school or child care center or a designated area approved by the
7 Administration;

8 (iii) The owner has obtained vehicle liability insurance or other
9 security as required by Title 17 of this article; and

10 (iv) The vehicle is equipped with proper seat belts or safety seats
11 so as to permit each child to be secured in a seat belt or a safety seat as required by §§
12 22-412.2 and 22-412.3 of this article.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to
14 any school bus that is procured for use in this State on or after January 1, 2014.

15 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2011.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.